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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DANNY ALSTON,

CIVIL ACTION

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security

NO. 07-1967

ORDER

AND NOW, this **9th** day of **May**, 2008, upon
consideration of Plaintiff's Motion for Summary Judgment, Defendant Commissioner's
Response to Plaintiff's Request for Review, and Plaintiff's Reply, and after review of the Report
and Recommendation of United States Magistrate Judge L. Felipe Restrepo, it is hereby
ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED; **AS NO OBJECTIONS WERE RECEIVED.**
2. Plaintiff's Motion for Summary Judgment is GRANTED;
3. The matter is REMANDED to the Commissioner, pursuant to sentence four of
42 U.S.C. § 405(g), for further proceedings consistent with the Report and Recommendation of
United States Magistrate Judge L. Felipe Restrepo.

4. THE CLERK IS DIRECTED TO MAKE THIS CASE CLOSED FOR STATISTICAL PURPOSES.

BY THE COURT:


THOMAS M. GOLDEN, J.

5-12-08 e-mailed to:

J. Whitelaw

J. Gordon

N. Conlli

A. Lulens